9-11-06

461.010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Eduardo Trifoni, et al. Serial No.: 10/550,123 Filed: September 19, 2005

For: METHOD ... GENERATOR

1185 Avenue of the Americas New York, N.Y. 10036 September 7, 2006

RENEWED RULE 47(a) PETITION

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Responsive to the decision on the Rule 47(a) petition dated August 4, 2006,

Applicants renew the said petition in view of Ms. Tuosto's new declaration filed herewith and the remarks presented herein.

In the decision, the Attorney Advisor held that Applicants had not completely complied with sections (1), (2) and (3) of Rule 47 (a) since (1) the correct fee had not been submitted, (2) Applicants had not shown that a bona fide attempt was made to present the application documents to the inventors and (3) the last known address of the inventors had not been provided.

Applicants renew the petition as this response complies with Rule 47(a).

Applicants are submitting herewith PTO form 2038 for \$70.00 since \$130.00 were submitted with the original request. Ms. Tuosto's declaration filed herewith supplies the

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DAZW \$ last known address of the missing inventors and therefore (1) and (3) of Rule 47(a) have

been complied with.

With respect to (2) of Rule 47(a), Ms. Tuosto's declaration clearly states that the

entire application, declaration and assignment were submitted to both inventors that have

refused to execute the documents which were received by the inventors but not returned

by them which means they have refused to execute the application. Therefore, all the

provisions of Rule 47(a) have been complied with and granting of the petition is

requested.

Respectfully submitted, Hedman and Costigan

Charles A. Muserlian #19,683

Attorney for Applicants

Tel. 212 302 8989

CAM:mlp Enclosures

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<u>IN THE UNITED ST ATES P ATENT AND TRADEMARK OFFICE</u>

In re Application of: Eduardo Trifoni, et al. Serial No.: 10/550,123 Filed: September 19, 2005

For: METHOD... GÉNERATOR

1185 Avenue of the Americas New York, N.Y. 10036

DECLARATION

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Anna Tuosto hereby deposes and says:

That she is the person who made the declaration dated March 7, 2006 for the above application.

That the documents she submitted to the two inventors who refused to execute the above application included the complete application, drawings, claims, declaration and assignment for execution and identified the application by PCT serial No.: PCT/EP04/03424 and the client's internal reference No. 216.

That the last known address of the individual inventors are those set forth in the declaration originally filed with the application on **September 19, 2005**.

A copy of the registered mail receipt was filed with my previous declaration for Mr. Lenardon and Mr. Trifoni was contacted by email. Therefore, it is certain that the inventors received the documents and request for signature, no signed documents have been received from either inventor.

That no response has been received from either inventor and since it is known that the request was received, the only logical conclusion to be drawn from their silence of more than 6 months is that they are not willing to execute the application, particularly since Mr. Trifoni has refused to execute other applications.

Dated: August 28, 2006



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CFR 1.10 on the date indicated above and is addressed to the Commissioner for

Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Marie-Louise Pinset